

## § 580.12

the Commission, except that if the subject of the appeal is a temporary closure order, the order shall be dissolved.

### **§ 580.12 Does an appeal of a Chair's decision stay the effect of that decision?**

Except as otherwise provided by NIGC regulations at 25 CFR 522.5 and 522.7, the filing of an appeal does not stay the effect of the Chair's decision. The appellant must comply with the Chair's decision pending the outcome of the appeal.

## **PART 581—MOTIONS IN APPEAL PROCEEDINGS BEFORE THE COMMISSION**

Sec.

581.1 What is the scope of this part?

581.2 How does an entity other than a tribe request to participate on a limited basis in an ordinance appeal?

581.3 How do I file a motion to intervene in appeals?

581.4 How do I file a motion before a presiding official?

581.5 How do I file a motion to supplement the record?

581.6 How do I file a motion for reconsideration?

AUTHORITY: 25 U.S.C. 2706, 2713, 2715.

SOURCE: 77 FR 58945, Sept. 25, 2012, unless otherwise noted.

### **§ 581.1 What is the scope of this part?**

(a) This part governs motion practice under:

(1) Part 582 of this subchapter relating to appeals of disapprovals of gaming ordinances, resolutions, or amendments;

(2) Part 583 of this subchapter relating to appeals of the approval or disapproval of management contracts or amendments to a management contract;

(3) Part 584 of this subchapter relating to appeals before a presiding official of notices of violation, orders of temporary closure, proposed civil fine assessments, the Chair's decisions to void or modify management contracts, the Commission's proposals to remove certificates of self-regulation, the Chair's decisions to approve or object to a tribal gaming regulatory authority's adoption of alternate standards from those required by the

## 25 CFR Ch. III (4–1–15 Edition)

Commission's minimum internal control standards and/or technical standards, and notices of late fees and late fee assessments; and

(4) Part 585 of this subchapter relating to appeals to the Commission on written submissions of notices of violation, orders of temporary closure, proposed civil fine assessments, the Chair's decisions to void or modify management contracts, the Commission's proposals to remove certificates of self-regulation, the Chair's decisions to approve or object to a tribal gaming regulatory authority's adoption of alternate standards from those required by the Commission's minimum internal control standards and/or technical standards, and notices of late fees and late fee assessments.

(b) This part also governs motion practice in hearings under § 535.3 of this subchapter to review the Chair's decision to void or modify a management contract.

[77 FR 58945, Sept. 25, 2012, as amended at 78 FR 21062, Apr. 9, 2013]

### **§ 581.2 How does an entity other than a tribe request to participate on a limited basis in an ordinance appeal?**

Requests for limited participation in ordinance appeals are governed by § 582.5 of this subchapter.

### **§ 581.3 How do I file a motion to intervene in appeals?**

Motions to intervene in appeals before a presiding official are governed by § 584.5 of this subchapter. Motions to intervene in appeals before the Commission are governed by § 585.5 of this subchapter.

### **§ 581.4 How do I file a motion before a presiding official?**

Motion practice before a presiding official on appeals of notices of violation, orders of temporary closure, proposed civil fine assessments, the Chair's decisions to void or modify management contracts, the Commission's proposals to remove certificates of self-regulation, the Chair's decisions to approve or object to a tribal gaming regulatory authority's adoption of alternate standards from those required by the